

BEFORE THE
Federal Communications Commission
WASHINGTON, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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In re

Television LMAs
(Further Information
Submission)

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)
) MM Docket Nos. 91-221
) 87-8
) 94-150
) 92-51
) 87-154

TO: The Commission

**INFORMATION SUBMISSION OF THE PARTIES TO A
"TIME BROKERAGE AGREEMENT" RELATING TO
KVCT(TV), VICTORIA, TEXAS**

The undersigned, by their attorney, hereby respectfully submit the following information pursuant to the Commission Public Notice DA 97-1246, released June 17, 1997, printed in the Federal Register June 23, 1997 (62 Fed. Reg. 33792), entitled "Commission Seeks Further Information Regarding Television LMAs". This submission is made within the period extending 15 days from the date of publication of said Public Notice in the Federal Register, and therefore is timely.

1. Name of Licensee, Call Letters, Channel Number and Community of License of Brokered and Brokering Stations.

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a. Brokered Station: VictoriaVision, Inc.; KVCT(TV); Channel 19; Victoria, Texas.

b. Brokering Station: Withers Broadcasting Company of Texas; KAVU-TV; Channel 25; Victoria, Texas.

2. Name and Rank of the Nielsen Designated Market Area of Brokered and Brokering Stations. Both stations are located in the Victoria, Texas DMA, rank no. 206 (source: *NATPE Station Listing Guide*, Summer 1997).

3. Degree of Overlap of Brokered and Brokering Stations. As both stations are licensed to the same city of license, there is city-grade contour overlap of KVCT and KAVU-TV.

4. Date That Parties Entered into the LMA. The LMA was made effective as of January 1, 1995

5. Term of LMA.

a. Start and End Dates of Initial Term. January 1, 1995 through and including December 31, 1990.

b. Renewal Provisions. LMA is renewable for additional five year terms unless notice is given by either side six months prior to the end of the term (i.e., July 1, 1999) to terminate.

6. Percentage of Brokered Station's Weekly Broadcast Hours That Is Brokered to the Brokering Station. 100%,

subject to provisions for pre-emption for special programming as provided in the LMA.

7. Network Affiliation Information. The brokered station (KVCT) is a primary affiliate of the Fox network. The brokering station (KAVU-TV) is an affiliate of the ABC network. Neither station is owned by a network.

8. The Reported Nielsen All-Day Audience Share (measuring 9 a.m.-midnight) for Both Stations during the Last Three Most Recent Rating Periods.

a. Brokered Station (KVCT): November, 1996-2.4 share; February, 1997-2.3 share; May, 1997-1.7 share.

b. Brokering Station (KAVU-TV): November, 1996-5.6 share; February, 1997-5.9 share; May, 1997-6.0 share.

9. Public Interest Benefits Derived From LMA.

As can be seen from its market rank, Victoria is one of the smallest television markets in the United States. This LMA helps two local, free, over-the-air television services survive in a market which realistically can only support one full-power television station (by means of illustration, markets 198, 199, 201, 203, 204, 207, 208, 209 and 211-Lafayette, IN, Charlottesville, VA, Anniston, AL, Bend, OR, Zanesville, OH, Presque Isle, ME, Helena, MT, Alpena, MI and

Glendive, MT, respectively--each have only one full-power over the air station).

The history of KVCT shows that the original licensee was facing foreclosure at the hands of their bank. The second owner had financial problems and was forced to leave the air. Indeed, at the same time, KAVU-TV was being operated by First Victoria National Bank as the result of another foreclosure. Victoria offers a textbook case of how the viewing public benefits from an LMA. The television industry in Victoria is now financially stable, creditors are paid and can have confidence that they will be paid in the future. A quality local news service with news at different times on KAVU-TV and KVCT is available to the public in the Victoria area (the nearest over-the-air stations to Victoria are in Corpus Christi, over 100 highway miles south, and San Antonio, over 100 miles west-northwest of Victoria--none of whom provide much if any local service to Victoria).

In addition to the original and four copies to be submitted this date to the Secretary of the Commission, a computer diskette containing this submission has been prepared by the undersigned in an attempt to comply with the specifications stated in the Public Notice and is to be

delivered to Mr. Alan Baughcum at 2000 M Street, N. W.,
Suite 531, Washington, DC 20554 this date.

Respectfully submitted,

**VICTORIAVISION, INC.
WITHERS BROADCASTING COMPANY
OF TEXAS**

By

A handwritten signature in black ink, appearing to read "D. Kelly", written over a horizontal line.

Dennis J. Kelly
(D. C. Bar #292631)
Their Attorney

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